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REF: SAIGON 25936

SUBJECT: NATIONAL ASSEMBLY: MAY 27 SESSION

1. ASSEMBLY CONTINUED DEBATE ON UPPER HOUSE LAW. BEFORE SESSION BEGAN DRAFTING COMMITTEE CIRCULATED AMENDED VERSION ARTICLES 15 THROUGH 26 AND 40 THROUGH 44 WHICH WERE USED AS BASIS FOR DEBATE.

2. DEPUTIES VOTED TO REVISE ONCE AGAIN ARTICLE 15. IT NOW READS AS FOLLOWS:

RSR

QUOTE ARTICLE 15 (1) LISTS OF CANDIDATES WILL BE ARRANGED ACCORDING TO THE SEQUENCE IN WHICH THEY FILE, FOLLOWING HOUR, DAY AND MONTH.

(2) THE ABOVE LISTS WILL BE POSTED FOR THE FIRST TIME AT THE OFFICE OF THE CENTRAL ELECTION COUNCIL ON SEPTEMBER 26, 1967. IN OTHER MUNICIPALITIES, PROVINCES, DISTRICTS AND VILLAGES, LISTS WILL BE POSTED BY SEPTEMBER 30, 1967, AT THE LATEST. UNQUOTE

(2)

3. NEW ARTICLE 16, AS APPROVED BY ASSEMBLY, READS: QUOTE ARTICLE 16. ELECTORS AND CANDIDATES MAY FILE COMPLAINTS WITH REGARD TO CANDIDATES' QUALIFICATIONS TO THE CENTRAL ELECTION COUNCIL STIPULATED IN ARTICLE 18 FROM OCTOBER 1, 1967 THROUGH OCTOBER 10, 1967. UNQUOTE

4. NEW ARTICLE 17 DEFINES ROLE OF CENTRAL ELECTION COUNCIL WHICH IN ORIGINAL DRAFT WAS REFERRED TO AS THE REVIEW COUNCIL. IT READS:

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QUOTE ARTICLE 17 (1) THE CENTRAL ELECTION COUNCIL REFERRED TO IN ARTICLE 16 IS CHARGED WITH THE TASK OF STUDYING THE DOSSIERS OF CANDIDATES TO DECIDE WHETHER THEIR NAMES SHOULD BE REGISTERED ON THE LIST OF CANDIDATES. THIS COUNCIL MUST CONDUCT ITS STUDY FROM OCTOBER 11, 1967, TO OCTOBER 26, 1967.

(2) DURING THE PROCESS OF REVIEWING COMPLAINTS, LISTS AGAINST WHOM COMPLAINTS HAVE BEEN FILED HAVE THE RIGHT TO BE INFORMED OF THE EVIDENCE AND TO DEFEND THEIR CASE.

(3) IN CASE ONE OR SEVERAL CANDIDATES ON A LIST ARE ELIMINATED, THE COUNCIL WILL REVIEW THE REGISTRATION OF SUBSTITUTES, IF ANY, ON THE SAME LIST. HOWEVER, IF A CANDIDATE IS REJECTED FOR BEING WITHIN THE CATEGORIES PRESCRIBED BY PARAGRAPH 9 OF ARTICLE 11, NO SUBSTITUTES WILL BE ACCEPTED AND NONE OF THE CANDIDATES ON THE LIST WILL BE ALLOWED TO RUN IN THE ELECTION.

(4) THE COUNCIL MUST INVITE ALL CANDIDATES TO A MEETING HELD ON OCTOBER 27, 1967, AT THE LATEST TO OFFICIALLY INFORM THEM OF THE REGISTRATION OR ELIMINATION OF THEIR NAMES. UNQUOTE

5. ARTICLE 18 WHICH DEALS WITH COMPOSITION OF THE CENTRAL ELECTION COUNCIL READS:

QUOTE ARTICLE 18. IN SAIGON, A CENTRAL ELECTION COUNCIL, THE COMPOSITION OF WHICH IS GIVEN BELOW, WILL BE ESTABLISHED. THE PRESIDING JUDGE OF THE SUPREME COURT OF APPEAL IS CHAIRMAN. THE CHAIRMAN OF THE STATE COUNCIL OR A DESIGNATED ADMINISTRATIVE JUDGE WILL SERVE AS A MEMBER. THE DEAN OF THE LAWYERS' CORPS OR A LAWYER REPRESENTING HIM WILL SERVE AS A MEMBER. A NATIONAL ASSEMBLY DEPUTY, CHOSEN BY THE NATIONAL ASSEMBLY FROM AMONG THOSE DEPUTIES WHO ARE NOT CANDIDATES, WILL SERVE AS A MEMBER. A REPRESENTATIVE OF THE SPECIAL COMMISSARIAT FOR ADMINISTRATION OR THE MINISTRY OF INTERIOR WILL SERVE AS THE COUNCIL'S REPORTER AND WILL HAVE THE RIGHT TO VOTE. UNQUOTE

6. NEW ARTICLE 19 READS:

QUOTE ARTICLE 19. (1) LISTS OF CANDIDATES WILL BE POSTED A SECOND TIME AT THE OFFICE OF THE CENTRAL ELECTION COUNCIL AND AT SAIGON CITY HALL ON OCTOBER 28, 1967. IN OTHER MUNICIPALITIES, PROVINCES, DISTRICTS AND VILLAGES, THEY MUST BE POSTED NO LATER THAN NOVEMBER 1, 1967.

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(2) A RECORD BE KEPT OF THIS SECOND POSTING.

7. ARTICLE 20 AS APPROVED BY DEPUTIES SAME AS VERSION REPORTED REFTEL WITH FOLLOWING ADDED TO FOURTH PARAGRAPH: "AND THEIR NAMES WILL BE REPORTED TO LOCAL AUTHORITIES NO LATER THAN NOVEMBER 2, 1967. ON OR BEFORE NOVEMBER 2, LISTS MAY CHANGE REPRESENTATIVES ON THESE COMMITTEES.

8. FINALLY APPROVED TEXT OF ARTICLE 21 UNCHANGED FROM VERSION REPORTED REFTEL.

9. ARTICLE 22 NOW READS:
QUOTE ARTICLE 22. (1) THE CENTRAL ELECTION CAMPAIGN COMMITTEE WILL BE CONVENED BY THE ADMINISTRATIVE AGENCY CONCERNED FOR THE FIRST TIME ON NOVEMBER 3, 1967.

(2) LOCAL ELECTION CAMPAIGN COMMITTEES WILL BE CONVENED BY MAYORS OR PROVINCE CHIEFS FOR THE FIRST TIME NOT LATER THAN NOVEMBER 6, 1967. UNQUOTE

10. ARTICLE 23 MODIFIED SLIGHTLY FROM ORIGINAL DRAFT AND NOW READS:

QUOTE ARTICLE 23. ALL CANDIDATES WILL RECEIVE EQUAL FACILITIES

THE TASKS OF THE CENTRAL ELECTION CAMPAIGN COMMITTEE INCLUDE THE FOLLOWING:

(1) TO FIX THE NUMBER, THE SIZE, AND THE COLOR OF POSTERS AND LEAFLETS. EACH LIST WILL HAVE A MAXIMUM OF TWO KINDS OF POSTERS NOT LARGER THAN 65 CM BY 100 CM AND TWO KINDS OF LEAFLETS NOT LARGER THAN 21 CM BY 32 CM.

(2) TO DETERMINE PROCEDURES GOVERNING PRESS ACTIVITIES FOR ALL LISTS.

(3) TO DECIDE A SCHEDULE OF TALKS BETWEEN VOTERS AND CANDIDATES OR THEIR REPRESENTATIVES.
(4) TO FIX MODES OF USE OF MOBILE BROADCASTING UNITS, RADIO STATIONS, AND TELEVISION IN THOSE PLACES WHERE THESE MEANS OF PROPAGANDA EXIST. EQUAL TIME MUST BE RESERVED FOR ALL CANDIDATES FOR USE OF THESE FACILITIES.

IL TO FIX THE DATE FOR PUTTING UP POSTERS, DISTRIBUTING LEAFLETS, AND REPORTING THESE ACTIVITIES TO MAYORS AND PROVINCE CHIEFS.

(6) TO BE RESPONSIBLE FOR THE PRINTING, TRANSPORT AND DISTRIBUTION OF POSTERS AND LEAFLETS.

(7) TO FIX THE PLACES FOR PUTTING UP POSTERS. LEAFLETS MAY BE DISTRIBUTED TO THE HOMES OF VOTERS.

NO ONE MAY USE CAMPAIGN MEANS OUTSIDE THE NUMBER AND MODES DECIDED BY THE CAMPAIGN COMMITTEE IN ACCORDANCE WITH THIS ARTICLE.

ALL CAMPAIGN ACTIVITIES WILL BE CONDUCTED IN THE VIETNAMESE LANGUAGE. UNQUOTE

11. ARTICLE 24 NOW READS:
QUOTE ARTICLE 24. (1) EXPENSES RELATED TO THE ORGANIZATION OF THE ELECTIONS WILL BE BORNE BY THE NATIONAL BUDGET. (MORE)
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IO (2) CONCERNING CAMPAIGN EXPENDITURES, INCLUDING THE COST
P OF CANDIDATES' OBSERVERS, THE NATIONAL BUDGET WILL COVER
USIA A MAXIMUM EXPENSE OF ONE PIASTER PER ELECTOR FOR THE WHOLE
NSC COUNTRY AND FOR EACH LIST OF CANDIDATES.
INR
CIA (3) IF THERE ARE MORE THAN 18 LISTS, THE NATIONAL BUDGET
NSA WILL NOT EXPEND MORE THAN 18 PIASTERS PER ELECTOR FOR THE
DOD TOTAL NUMBER OF LISTS.
AID
(4) IF THE CENTRAL ELECTION CAMPAIGN COMMITTEE UNANIMOUSLY
RSR DEEMS A LARGER AMOUNT NECESSARY, THE NATIONAL BUDGET
WILL STILL ONLY PROVIDE THE ABOVE-MENTIONED MAXIMUM SUM, AND
LISTS MUST COVER THE ADDITIONAL EXPENDITURES BY THEIR
OWN MEANS.

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(5) EACH LIST OF CANDIDATES MUST DEPOSIT TO THE TREASURY
A SUM OF ONE HUNDRED THOUSAND PIASTERS.

(6) IF A LIST OF CANDIDATES WITHDRAWS AFTER MATERIAL FOR THE
ELECTORAL CAMPAIGN HAS BEEN PRINTED, OR IF THE LIST FAILS
TO RECEIVE THREE PER CENT OF THE TOTAL NUMBER OF VALID
VOTES CAST, THE ABOVE-MENTIONED DEPOSIT WILL NOT BE RETURNED.

(7) IN ADDITION, THE LIST OF CANDIDATES CONCERNED MUST
ALSO REIMBURSE THE NATIONAL BUDGET THE DIFFERENCE BETWEEN THE
COST OF ITS ELECTORAL CAMPAIGN AND THE DEPOSIT IF THE COST
EXCEEDS ONE HUNDRED THOUSAND PIASTERS. IN THIS CASE,
CANDIDATES ON THE LIST CONCERNED WILL REIMBURSE THE ABOVE-
MENTIONED SUM, EACH ONE PAYING AN EQUAL AMOUNT.

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(6) AN APPLICATION FOR CANDIDACY CAN ONLY BE WITHDRAWN WHEN ALL CANDIDATES ON THE LIST HAVE SIGNED THE WITHDRAWAL REQUEST. UNQUOTE

12. ARTICLE 25 AS APPROVED BY ASSEMBLY READS:
QUOTE ARTICLE 25. (1) SYMBOLS OR PHOTOGRAPHS OF EACH LIST MUST BE SUBMITTED TO THE CENTRAL ELECTION CAMPAIGN COMMITTEE NO LATER THAN ONE DAY AFTER CHAPTER HAS CONVENED THE FIRST TIME FOR IMMEDIATE TRANSMITTAL TO THE CONCERNED ADMINISTRATIVE

AGENCY FOR PRINTING OF POSTERS, LEAFLETS AND BOARDS.

(2) TEXTS OF POSTERS AND LEAFLETS MUST BE SUBMITTED TO THE CENTRAL ELECTION CAMPAIGN COMMITTEE WITHIN THE TIME LIMIT SET BY THE COMMITTEE.

(3) ANY LIST WHICH WISHES TO CHANGE ITS SYMBOLS OR PHOTOGRAPHS MUST SUBMIT THE NEW ONES TO THE COMMITTEE WITHIN THE ABOVE-MENTIONED TIME LIMIT.

(4) CANDIDATES ARE FREE TO CHOOSE THEIR OWN SYMBOLS BUT QUEER, INTERNATIONAL AND RELIGIOUS SYMBOLS ARE FORBIDDEN. SYMBOLS OF POLITICAL GROUPS CAN BE USED EXCEPT IN CASES WHERE THEY ARE CONTESTED BY THE CENTRAL EXECUTIVE COMMITTEE OF THE GROUP CONCERNED.

(5) LISTS MAY NOT CHOOSE SYMBOLS WHICH ARE SIMILAR TO EACH OTHER. SYMBOLS MUST BE APPROVED BY THE CENTRAL ELECTION CAMPAIGN COMMITTEE.

13. SECOND PARAGRAPH ARTICLE 26 APPROVED UNCHANGED. FIRST PARAGRAPH NOW READS:

QUOTE: ARTICLE(1) THE ELECTION CAMPAIGN WILL BEGIN NOVEMBER 17, 1967, AND LAST UNTIL NOON DECEMBER
UNQUOTE

14. ARTICLE 27 NOW READS:
QUOTE ARTICLE 27. (1) SENATOR ELECTION, ON A LIST BASIS, BY DIRECT AND UNIVERSAL SUFFRAGE.

(2) EACH LIST HAS 10 CANDIDATES.
(3) THE SIX LISTS WHICH RECEIVE THE MOST VOTES WILL BE CONSIDERED ELECTED.
(4) IF SEVERAL LISTS RECEIVE AN EQUAL NUMBER OF VOTES, THE LIST WITH THE HIGHEST AGGREGATE AGE WILL BE DECLARED ELECTED. UNQUOTE

15. PARAGRAPHS 4 AND 5 WERE DROPPED FROM ARTICLE 28. REMAINDER OF ARTICLE APPROVED IN ORIGINAL FORM WITH ADDITIONAL FOLLOWING PHRASE TO SECOND SENTENCE PARAGRAPH (: "AND BOUND IN EQUAL PACKS OF 100, NUMBERED FROM 1 TO 100."

16. ARTICLE 29 APPROVED WITH INSERTION OF DATE DECEMBER 14, 1967, IN FIRST PARAGRAPH. DATE ORIGINAL LEFT BLANK.

17. ARTICLES 30 AND 31 APPROVED UNCHANGED FROM ORIGINAL.

18. ARTICLE 32 APPROVED WITH SLIGHT CHANGE. WORD "NECESSARY" SUBSTITUTED FOR WORD "RELATED" IN PARAGRAPH 2(B).

19. ARTICLE 33 AND 34 APPROVED WITHOUT CHANGE.

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20. PARAGRAPHS 3 AND 4 OF ARTICLE 35 VOTED IN ORIGINAL FORM. FIRST TWO PARAGRAPHS NOW READ AS FOLLOWS:
QUOTE ARTICLE 35. (1) IMMEDIATELY AFTER THE COUNTING OF VOTES, THE COMMITTEE IN CHARGE OF THE POLLING STATION WILL PREPARE A REPORT IN QUADRUPLICATE.

(2) IN THE PROVINCES, THE CHAIRMAN OF THE COMMITTEE IN CHARGE OF THE POLLING STATION IN EACH VILLAGE POSTS ONE COPY OF THE REPORT IN HIS OFFICE. KEEPS ONE FOR HIMSELF AND FORWARDS TWO COPIES TOGETHER WITH THE BALLOTS AND ENVELOPES DESCRIBED IN ARTICLE 34, IF ANY, TO THE PRINCIPAL POLLING BOOTH IN THE DISTRICT FOR A SUMMINING UP OF THE RESULTS IN THE DISTRICT. THE COMMITTEE CHAIRMAN OF THE MAIN POLLING STATION WILL ADD UP THE NUMBER OF VOTES RECEIVED BY EACH LIST AND PREPARE A REPORT IN QUADRUPLICATE FOR ALL POLLING STATIONS WITHIN THE DISTRICT, AND THEN POST THE TEMPORARY RESULTS AT THE DISTRICT ADMINISTRATIVE OFFICE. UNQUOTE

21. ARTICLE 36 NOW READS: "TEMPORARY RESULTS OF THE ELECTIONS IN THE PROVINCES AND MUNICIPALITIES WILL BE TRANSMITTED BY THE MOST RAPID MEANS AVAILAILABLE TO THE OFFICE OF THE CENTRAL ELECTION COMMITTEE WHICH WILL ANNOUNCE THESE RESULTS AS IT

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RECEIVES THEM."

22. HE LEFT BLANK IN ARTICLE 37 (2) IS DECEMBER 30, 1967. PARAGRAPH OTHERWISE UNCHANGED. FIRST PARAGRAPH NOW READS: "BY DECEMBER 24, 1967, AT THE LATEST, REPORTS PREPARED BY THE PROVINCES AND MUNICIPALITIES AND THE ENCLOSED INVALID BALLOTS AND ENVELOPES MUST BE SENT TO THE CENTRAL ELECTION COUNCIL REFERRED TO IN ARTICLE 18."

23. DEPUTIES VOTED TO DELETE OLD ARTICLES 38 AND 39 FROM LAW. NEW ARTICLE 38 READS:

QUOTE ARTICLE 38. (1) IF THE CENTRAL ELECTION COMMITTEE FINDS THAT IRREGULARITIES HAVE BEEN SUFFICIENTLY SERIOUS TO AFFECT THE HONESTY AND RESULTS OF THE ELECTION, THEN THE CENTRAL ELECTION COMMITTEE WILL DECLARE THE ENTIRE ELECTION INVALID.

(2) IN THIS CASE, A LAW WILL SET THE DATES AND PROCEDURES FOR ANOTHER ELECTION. UNQUOTE

24. ARTICLE 39 READS: "ELECTION RESULTS MUST BE PUBLISHED IN THE OFFICIAL JOURNAL OF THE REPUBLIC OF VIET NAM."

25. ARTICLE 40 IS MODIFIED VERSION OF OLD ARTICLE 38 AND NOW READS:

QUOTE ARTICLE 40. (1) AFTER ELECTION DAY, VOTERS AND CANDIDATES HAVE THE RIGHT TO COMPLAIN ABOUT ELECTION IRREGULARITIES.

(2) COMPLAINTS CITING REASONS THEREFORE MUST BE FILED PERSONALLY OR BY REGISTERED MAIL AT THE OFFICE OF THE CENTRAL ELECTION COMMITTEE NO LATER THAN DECEMBER 22, 1967.

(3) COMPLAINTS RECEIVED AFTER THE ABOVE DATE WILL NOT BE EXAMINED. WHEN IT RECEIVES A COMPLAINT THE CENTRAL ELECTION COMMITTEE MUST STAMP THE DATE ON THE COMPLAINT AND CONFIRM RECEIPT TO THE SENDER.

( ) COMPLAINTS AND ENCLOSED DOCUMENTS, IF ANY, WILL BE SUBMITTED TO THE OFFICE OF THE UPPER HOUSE WHICH WILL USE THEM IN ITS CONSIDERATION OF VALIDATION OF SENATORS. UNQUOTE

26. ARTICLE 41 NOW READS: "VIOLATIONS OF THE FREE AND HONEST NATURE OF THE ELECTION OF SENATORS WILL BE PUNISHED ACCORDING TO ARTICLES 35 THROUGH 47 OF THE PRESIDENTIAL ELECTION LAW."

27. NATIONAL ASSEMBLY WILL RECONVENE MAY 29.

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